NEW ANTI-ISRAEL POLICY?—J. A. DEL VAYO

THE Nation

June 13, 1953
20¢

Judge Charles E. Clark

Have We Misread the Constitution?

DISCUSSING WILLIAM CROSSKEY'S "POLITICS AND THE CONSTITUTION"

The Gideons Bible Case *W. H. Kilpatrick*

Republican Mink *Una F. Carter*

What Moroccans Want *Alexander Werth*

EVERY WEEK SINCE 1865

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Around the U.S.A.

The Gideons Bible Case

New York

AT THE request of the editor I am giving herewith an account of my recent court testimony in the suit to declare illegal the Gideons' proposal to place Bibles in the public schools of Rutherford, New Jersey. The specific proposal of the Gideons was to give to each public-school child, unless his parents disapproved, a copy of the New Testament (King James version) bound with the Psalms and Proverbs.

I supported the contention of the complainant that for the public-school authorities to cooperate with the Gideons in their endeavor would violate the historic American principle of separation of church and state, as recently stated by the United States Supreme Court in the Everson case and reaffirmed in the McCollum case. The court said: "Neither a state nor the federal government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another."

Specifically, I asserted that such action by the public-school authorities in cooperation with the Gideons would constitute another instance of the Protestants' using the public schools to advance the Protestant religion against Roman Catholics, who reject the King James version of the Bible, against Jews, who reject the New Testament as opposed to their conception of religion, and also against those who reject any supernatural religion.

Because some may mistake my reason for opposing the Gideons' plan, let me explain that my name originated in Scotland and was brought to this country by a Presbyterian immigrant in the eighteenth century. Further, my father was a Baptist minister, as was his father before him, and it was out of this family background that I drew my belief in the separation of church and state, this being a strong Baptist doctrine.

Since 1910 the Gideons have been engaged in the public distribution of the King James Bible. The New York *Times* of August 22, 1949, carried a statement by a past president of the Gideons that they had placed "more than 3,000,000 Bibles in hotel rooms outside of New York City" and given "more than 4,200,000 copies of its special edition to school children throughout the country in the past three years."

That the intent of the Gideons is to teach their religion by these distributions of the Bible is clear from their published statements. Their 1948 constitution says that "the object of the Gideons is to win men and women for the Lord Jesus Christ." This aim is sought by, among other means, "placing the Bible—God's Holy Word—or portions thereof in hotels, hospitals, schools, institutions." That the Gideons mean to teach the Protestant Christian religion is clear from their choice of the King James version.

• Nothing is here implied against the Gideons for holding personally each to his conception of religion or for teaching it to his children in his home or Sunday school. The question is whether the action of the school board in cooperating with the Gideons to distribute their Bibles is an infringement upon the constitutional separation of church and state. The principal of a public school is an agent of the school board, and the United States Supreme Court has ruled that action by a school board is state action (*West Virgina State Board of Education* v. *Barnette,* 1943). The fact that the Gideons' New Testament is given only to pupils whose parents approve does not exonerate the authorities. Even so, the Gideons want the distribution as promising to further their aim of spreading the Protestant faith.

When I first went to school, in Georgia in 1878, the state public-school system was only five years old and public-school money sufficed for only three months of "free school." This free-school period was administered by a self-perpetuating board, or "academy," established in 1837, which during the remaining six months conducted a tuition school. It is not surprising that the school principal during the free term followed his usual custom of opening school with the reading of the Bible (King James version).

• These religious features of the newly established public school raised no question of the separation of church and state or of Protestant selfishness. They were simply community custom. In some places the local "academy" might be a Baptist or a Methodist institution, in which case a public school might be under the control of a specific church board. At that time the state constitution forbade appropriation of public funds for any sectarian purpose, but in Savannah in 1896-97 two Roman Catholic parochial schools were regularly included in the local school system. Certain Baptists, objecting to having public money support these parochial schools, took the matter to the courts, and the practice was henceforth forbidden. Then other persons pointed out the inconsistency of having a Baptist or Methodist board control a public school and had that practice also stopped. In such ways all over the country a clearer conception of the proper relationship of church and state in the matter of the public school began to make itself felt.

But even in 1953 these practices, stemming from the remote past of a unified Protestant point of view, still hold sway in various forms. In many public schools the Bible (King James version) is still read at the opening of the school day and in many the Lord's Prayer (Protestant version) is recited. Adult citizens are supposed to know what they do. If the disputed practice tends, even indirectly, to uphold the Protestant religion and if those who authorize it know this, or ought to under the given circumstances, then the practice is an instance of Protestant selfishness. WILLIAM HEARD KILPATRICK

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Correction: Laurent B. Frantz, coauthor of the article Does Silence Mean Guilt? in last week's issue, was erroneously described in early copies off the press as law librarian of Duke University instead of Drake University.

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EVERY WEEK SINCE 1865

EDITORIALS

The Shape of Things

End of the Beginning

No matter what lies ahead, the agreement in Korea is the best news since the Germans surrendered on June 6, 1945. The United Nations can rightly assert that aggression was defeated by the collective action of most of its members. Whether or not the cost was too high, history will eventually decide; and relatively few people will now bother to recall that the war might have ended in October, 1950, on terms as good as those now accepted, if General MacArthur and the ROKs had not started the ill-fated drive into North Korea and brought China into the conflict. But these considerations, as well as the acrimonious, seemingly endless truce talks, the months of stalling and haggling, will be shoved into the background by the overwhelming facts that men are no longer killing and dying and that the agreement when it came was one of compromise—a precedent of immense value to show that settlements with the Communists *can* be reached through negotiation and mutual concession. Skeptics should not forget that the final decision on prisoners of war represented the sacrifice by the Chinese and North Koreans of one of their most stubbornly held positions.

The Difficulties Ahead

This is not to say that the operation of the armistice or the political conference to follow will be easy. One has only to consider the stakes involved and the pitfalls surrounding President Eisenhower: the mounting nuisance value of the obdurate Syngman Rhee, the insistence of Republican Asia-firsters that Russia has won a cold-war victory in Korea, the prospect of a showdown at Bermuda with Britain and France on the necessity of dealing with Peking—not only in Korea but in the United Nations, and on the whole problem of peace in Asia wherever it arises. At this moment Syngman Rhee's capacity for dangerous mischief is as great as his incapacity to drive the Chinese out of Korea single-handed. He can do a lot to sabotage the truce and obstruct progress toward peace, knowing that the United States could hardly use force to bring its protégé and ally to terms. As these lines are written, it appears that he intends to exploit this possibility to the limit in spite of President Eisenhower's eloquent appeal for cooperation, the offer of a mutual-defense pact, and his pledge to use all available means to achieve Korea's unification.

All these difficulties are on "our side." But they bear directly on the greater difficulties that will arise as soon as the political negotiations with the Communists get under way. Fortunately those negotiations will not be conducted by American military men acting virtually on their own. The political conference will represent all the belligerents, and in spite of the hostages Mr. Eisenhower has distributed among his opponents, the Administration will have to regard the wishes of other powers with immense stakes in the Far East. The political settlement, when it comes, will inevitably reflect broader interests and a more varied play of forces. On the enemy side, the failure of the North Korean aggression and the terrible destruction of life and physical values that accompanied that failure should incline the Communist leaders to agree to a let-live peace—provided the United States permits wide discussion of Asian issues at the conference.

Cabinet on the Air

The script for the President's TV show last week was prepared by one of the leading public-relations firms in the country. It was a deft performance—smoothly written and well-paced—even if its "folksiness" was obviously contrived. It was also full of basic contradictions which added to its credibility as an authentic Republican document. "We're not going to regiment farms," said the President. But a minute later Secretary of Agriculture Benson was proposing to cut down agricultural surpluses through "programs from the grass roots that will prevent unreasonable supplies." Does Mr. Benson intend to achieve his objective by plowing under the wheat crop of every third Democrat, and call it "retributive justice" instead of "regimentation?" Then the President introduced Mrs. Oveta Culp Hobby, who discoursed charmingly on all the good things her new Department of Health, Welfare, and Education has in store for the country. But she forgot to mention that her first act as Secretary was to recommend budget cuts which practically destroyed the national municipal-health program and which affected the national education program so adversely that Commissioner of Education McGrath resigned in protest.

On the other hand, the President's brief statement on foreign affairs was impressive. "There's going to be no

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Munich," he said, "and at the same time there's going to be no risk of a general war." If not an inspired thought, it is at least a reassuring one. And the more we think about those who would inspire us these days, the more satisfied we are simply to be reassured.

Judge Goodman Declines

A complicated tax scandal has kept San Francisco in an uproar since May, 1951, when it first came to light. In San Francisco to investigate the matter, the House Judiciary subcommittee took the extraordinary step of serving a subpoena on Federal Judge Louis E. Goodman. Judge Goodman appeared but refused to answer questions concerning the courts on the ground that to do so would make the judiciary subservient to the legislative branch of the government. All seven of the Federal District Judges of Northern California in a signed statement presented to the subcommittee, expressed their unwillingness to testify "with respect to any judicial proceedings." "The Constitution," their letter said, "does not contemplate that such matters be reviewed by the legislative branch, but only by the appropriate appellate tribunals. The integrity of the federal courts, upon which liberty and life depend, require that such courts be maintained inviolate against the changing moods of public opinion."

Over the last four or five years, as we have pointed out from time to time, Congressional committees have been asserting by implication a power to review if not to reverse the decisions of federal judges. The San Francisco case is the latest manifestation of this tendency to make both the judicial and executive branches of the government subservient not merely to Congress but to particular committees. It is a dangerous trend.

Cleric on the Rampage

The Reverend Edward Lodge Curran, president of the International Catholic Truth Society and pastor of St. Joseph's Roman Catholic Church in Brooklyn, in a fire-eating speech made, quite appropriately, to 1,800 city firemen at a communion breakfast on May 30, denounced the United Nations as "moth-eaten, disintegrated," urged support of the Bricker amendment, praised "that great American, great marine, and great Catholic, Senator Joe McCarthy," and wound up by telling his audience that "the day that Red China is admitted to the United Nations, the boys in Korea should throw down their arms and come home." There is one thing to be said of the go-it-aloners: they don't mince words. If the Reverend Mr. Curran speaks in this heady style at breakfast, what fine wild reckless words must he spew forth at luncheon or dinner meetings? He has long fancied himself as Secretary of State ex-officio, but we hadn't heard that he had taken over as commander-in-chief of the United Nations forces in Korea.

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The Present Danger

II. McCarthy's Tactics

LAST week we called attention to some of the political factors that have paved the way for Joe McCarthy's march to power; the Senator, reports the National Committee for an Effective Congress, "is becoming a holder of effective power . . . a man who can get things done in government." In no small measure McCarthy's success to date has been based on a general misunderstanding of the real source of his strength.

A great deal has been written of course about McCarthy's tactics—his reckless attacks, his quick retreats, his use of the big lie—but what has been said somehow fails to get at the central issue. McCarthy's basic operational method was first developed, according to Miles McMillin of the Madison *Capital-Times,* by the elder La Follette. "Old Bob" would stake out a single issue, stamp it with his trademark, and then obstinately refuse to discuss anything else. The issue, of course, was selected with care. It always reflected some dominant popular concern. It was charged with emotion. And it was one on which La Follette's position could not be easily challenged or outflanked. Thus the opposition was forced to meet him on his own carefully chosen ground. No matter what the issues seemed to be at the outset, "La Follettеism" was the only issue on Election Day.

This, of course, is McCarthy's favorite gambit. He has selected—the story is that Father Edmund Walsh selected it for him—the dominant emotion-charged issue of communism. With exasperating consistency McCarthy refuses to discuss other issues; indeed, he insists that other issues have no meaning. Since he cannot be outflanked on the right and is quite indifferent to the "left," he has staked out a strong position. The dilemma the opposition faces is crudely suggested in a recent New York *Journal-American* editorial:

> We should like to ask the "liberals" a few questions.
>
> 1. Do you consider communism a danger in the United States? (If you don't so consider it, skip the remaining questions.)
>
> 2. If it is a danger, shouldn't it be exposed and removed?
>
> 3, If it should be exposed and removed, isn't that the rightful task of responsible legislative committees?

Baited by his outrageously provocative charges, McCarthy's opposition unthinkingly and uncritically says "yes" to question one, and then starts to argue with him about propositions two and three. But you cannot argue with McCarthy. Arguing with him is like arguing with a chronic anti-Semite; the anti-Semite invents new charges against the Jews as fast as the old ones are demolished.

McCarthy's exploitation of this basic tactic during the last two years has made him a national issue. It has forced his opposition to discuss *his* issue, in *his* terms, on *his* premises; in effect, he compels the opposition to collaborate with him in building his reputation and prestige. The outstanding collaborators are of course the newspapers. Having foolishly said "yes" to question one above, his opponents then find themselves forced to argue, first, that they are as violently opposed to communism as he is and then that their methods of fighting it are more effective than his. These are hard points to prove, but other and more substantial advantages accrue to McCarthy. For example, his unsavory background becomes quite immaterial. For if the domestic menace of communism is as great as he says it is, then it really does not matter that McCarthy is a bit uncouth or that he once accepted a large gratuity from the Lustron Corporation. Those who voted for him in Wisconsin last year knew all about his personal record—and they couldn't have cared less. In the same way, if he is right, his methods are apt to be regarded as unavoidable; you don't send a gentleman and scholar to clean out the toughs in the corner saloon. The "methods" of the mongoose may be unfair, but he kills the cobra.

THE MALANITES in South Africa use the same tactic. South Africa has more than its share of urgent social, economic, and political problems. But the Nationalists do not discuss problems; they discuss *apartheid,* a crazy scheme which the leader of the opposition Torch Commando accurately summed up as "the biggest political hoax in history." But the hoax works, and the reason was suggested in a London *Times* story (April 17) on the South African election: "The sentiment on this subject [*apartheid*] is the strongest permanent emotional force in South African politics; and the result of the election goes to show that a party offering a program of compromise is always at a disadvantage in that country." In short, where the struggle for power has been greatly intensified, a single emotion-charged issue can be most effective. People must be for or against it; they are forced to choose sides. Hitler's anti-Semitism was a similar hoax, and it worked for much the same reason. On a world scale communism is unmistakably a threatening reality; McCarthy's "menace of American communism" is a hoax. All the same, it is the force which holds the right-wing coalition together. As the *New Statesman and Nation* has pointed out (May 23), "it is a deep social malaise that finds the same outlet in anti-communism as that which so many Germans found in anti-Semitism." But fear and hatred of communism do not alone account for the potency of the issue. "By voting for McCarthy," reported Fred Sparks in a postmortem on last year's Wisconsin primary, "thousands felt that they were voting against Dean Acheson, against the draft of their sons,

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against the bleeding war in Korea, against the loss of China to the Reds, against excessive American involvement in far-off places."

It is a mistake, therefore, to keep the spotlight focused on McCarthy; this is what he wants his opposition to do. To let it appear that he is the issue is to foster the illusion that with his defeat the nightmare would end, but if McCarthy were to drop dead, the situation which he exploits so skilfully would still be with us. As long as the "anti-Communist crusade" remains a principal anti-recession strategy, McCarthy's ambitions neatly mesh with the larger objectives of important power-groupings.

Just as McCarthy's tactics provide an admirable "cover" for the objectives of the interest-groups that support him, so they divert attention from his miserable voting record. And here he is truly vulnerable. Huey Long was a demagogue of the left: wealth was to be shared, and every man was one day to be a king. But McCarthy has no social program, and his legislative achievements are nil. In its issue of October 17, 1952, the Madison *Capital-Times* urged Wisconsin farmers "to avoid being taken in by the biggest political confidence game in this generation" and warned them "to take their eyes off McCarthy's Communist bogyman and look at how he has been voting on measures that hit the farmers' pocket-book." Too long to quote here, the *Capital-Times* analysis of McCarthy's voting record on farm legislation should have turned out a landslide rural vote against him. To divert attention from this record, McCarthy could well have afforded to finance the personal attacks that were directed at him.

But while McCarthy's tactics cannot be successfully used by his opposition, he can exploit them with deadly effect. For he has possession of certain weapons which they lack. Should his critics start to press the inquiry into his personal affairs too energetically or become too vocal about his voting record—his most conspicuous vulnerability—he can always have them haled before the Congressional inquisition. "A religious war of this character, magnitude, and gravity," writes Lawrence Dennis in a recent issue of his newsletter, "needs a strategic concept, a Führer, expert inquisitors, and purges. . . . It is like the old Indian custom for purging an unpopular chief. [The Chief] would be charged with an unmentionable vice. If he admitted it, he was naturally condemned to death for being so vile. If he denied it, he was condemned to death for lying. You can't beat the game under a well-run inquisition."

But there are ways of beating McCarthy's game, and with these we will deal in next week's issue.

GRAB FOR THE ATOM

III. Safeguarding the Future . . . *by Leland Olds*

THE new technology of the atomic age must be accompanied by the development of new institutions if its full possibilities for peace and plenty are to be realized. We must head off the drive to pour the new atomic wine into old institutional bottles. The story of the explosive power of atomic bombs may then be overshadowed by the story of the new national and international agencies under whose regulation man will progress toward dominion over the resources of the universe. The Atomic Energy Commission provides a prototype for such institutions, which will transcend without superseding the private-enterprise system and by undertaking great projects for the creation of new inexhaustible resources will be able to assure the continuance of the tremendous resource-consuming structure reared by private enterprise.

Forward steps in man's dominion over resources have always molded institutions. The gift of fire, domestication of animals, invention of the wheel, harnessing of steam, the dynamo—each has been reflected in the organization of human society as well as in its technology. Similarly, as the sociologist William Fielding Ogburn has pointed out, the social effects of the release of atomic fission "may be many, radical, and profound."

The atomic age comes at a critical moment. War's demands, superimposed on the vast peace-time demands of the so-called "advanced" nations, threaten their own high standards and also the hopes of other peoples to rise to higher levels of material progress. If we would guard the world from such a discouraging future we must foster the institutions that will open up a new era in the application of mind as the ultimate resource of the universe. So as Congress turns to consider amendment of the Atomic Energy Act, let us glance briefly at the agency it created to preside over the first stages of atomic development.

The evolution of the new institution began when the President of the United States used his war powers to initiate an unprecedented mobilization of scientific and industrial genius under the army's super-secret Manhattan Engineer District. But before the first atomic bomb

THIS is the third and concluding article of a series by Leland Olds, former chairman of the Federal Power Commission and one of this country's foremost authorities on public power.

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exploded, the peace-time implications of the new source of energy became apparent, and the army therefore appointed a committee on post-war policy. In December, 1944, the committee recommended consideration of a special government authority to control the funds and distribution of work in the atomic-energy field after the war. This authority, the committee held, should concern itself not merely with the development of weapons but with atomic power in general, including its peace-time applications.

THE ATOMIC Energy Act of 1946, product of long hearings before an unusually able committee of Congress, established such an authority in the Atomic Energy Commission. This commission is essentially a publicly financed corporation. In an important sense, the Tennessee Valley Authority was its prototype. Like the T. V. A., the A. E. C. is a new instrument of democracy, combining the flexibility of the corporate form with the responsibility of government in the field of public investment. Both have as a primary objective the more efficient use of energy resources to promote wider economic opportunity. The new institution, which inherited the government's interests, property, and facilities in the whole field of atomic development, offers tremendous possibilities for future peaceful conquests in the field of resources. The institutional dynamics of the T. V. A., which brought such great progress to the South, may be used on a vastly larger scale by the A. E. C. to bring progress to the world.

The Congressional declaration of purpose set the stage. The Atomic Energy Act was designed "to effectuate the declared policy of the people of the United States that, subject at all times to the paramount objective of assuring the common defense and security, the development and utilization of atomic energy shall, so far as practicable, be directed toward improving the public welfare, increasing the standard of living, strengthening free competition in private enterprise, and promoting world peace."

Surely this statement of purpose must stand. And there should be no misinterpretation of its reference to private enterprise. The emphasis is on strengthening *free competition.* In other words, it is the declared purpose of the American people that their control of atomic energy be used to arrest the monopolistic trends so pervasive in private enterprise today. Here is no ground for turning the development of atomic power over to private monopolies or for granting the right of exclusive patents in this field.

As for promoting world peace, what greater step could be taken than to use this new institution as a basis for the country's participation in a United Nations organization on the same model, which would work to eliminate the international conflicts over the world's limited energy resources? What greater evidence of friendship can we offer to peoples seeking release from poverty than to use this new institution to help them build a strong energy economy without those foreign-investment strings which Woodrow Wilson once termed the "modern form of conquest"?

THE COMMISSION set up to effectuate this purpose is essentially a five-man board of directors. A general manager serves as the corporation's chief administrative officer, responsible for the formulation of policies and programs by the commission's seven divisions—research, production, engineering, military applications, reactor development, biology, medicine, and raw materials. The Division of Reactor Development has primary responsibility for the application of atomic energy to development of electric power.

Under the law the commission's major programs are directed at (1) assisting and fostering private scientific research and development; (2) control of scientific and technical information and the dissemination of such information to encourage scientific progress; (3) sharing of information concerning practical industrial use of atomic energy on a reciprocal basis as soon as effective safeguards against its use for destructive purposes can be devised; (4) federally conducted research and development to assure adequate scientific and technical progress; and (5) government control of production, ownership, and use of fissionable material to assure the common defense and the greatest possible exploitation of the possibilities. The fields in which the commission is directed to foster research and development are broad. They include nuclear processes, the theory and production of atomic energy, the utilization of fissionable materials for medical, biological, health, or military purposes, and the utilization of these materials for all other purposes, including industrial activities.

The law provides that whenever in its opinion any industrial, commercial, or other non-military use has been sufficiently developed to be of practical value, the commission shall report to the President of the United States, stating its estimate of the social, political, economic, and international effects of such use and suggesting necessary or desirable legislation. The President is required to transmit the commission's report to Congress with his recommendations. This provision will unquestionably serve as the basis for the expected hearings before the Joint Congressional Committee.

The law provides further that after this report has been before Congress for a period of ninety days of active session the commission may license such manufacture and use, in accordance with the act. And here we come to the place where Congress gives effect to the anti-monopoly statement of purpose, for the licenses must be on a non-exclusive basis. If activities under any license might foster the growth of monopoly, unlawful competition, or any other trade position inimical to the entry of freely competitive enterprise into the field, the commission is directed to refuse a license.

The law provides also that if useful energy is developed in the production of fissionable material it may be used by the commission, transferred to other government agencies, or sold to public or private utilities under contracts providing for reasonable resale prices. A beginning is made here in bringing atomic energy under federal power policy.

FINALLY, we come to a significant feature of this new institution. For the law specifically authorizes the commission to contract with public or private concerns; and in fact from the start its operations have been carried out largely by private industry. Great corporations like General Electric, Westinghouse, and Monsanto Chemical have been employed to design, construct, and operate the plants which produce the essential in-

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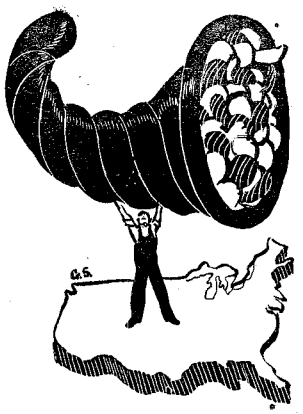
gredients of the atomic industry. Altogether, it is estimated that some 5,000 firms are participating or have participated on this basis.

Thus the immense creative abilities of our private-enterprise system, our scientific institutions, and our universities have been brought together under the general guidance of the greatest scientists of the free world in what is essentially a vast cooperative public enterprise. Throughout, the emphasis is on progress, unhindered by the restrictions of private monopoly.

Today the Atomic Energy Commission is conducting its business, involving an investment greater than the combined assets of General Motors and United States Steel, with only about 7,500 employees on its pay roll. The rest of the 150,000 workers engaged in the work are on the pay rolls of private enterprise. Technically, the atomic-energy industry may be a government monopoly, but it is clearly one which can be expanded into private industry, provided controls related to the management of this part of the public domain are established.

SUCH A MOBILIZATION of the technical genius of the free world to bring a new resource to the point of use is beyond the capacity of a single corporation or group of corporations without the aid of government. It is, in fact, beyond the scope of private enterprise as a whole, in amount of capital required, in risk, and in the nature of the returns. A new institution like the Atomic Energy Commission is required to make possible such great cooperative effort. In historical perspective we may see this as the way in which democracy is adapting itself to a new technological age without sacrificing the values associated with private enterprise.

An understanding of the significance of such an institution is vital to our progress in the era which lies ahead. For we are dealing with something vastly larger than mere command of a supplementary fuel for production of electric power, crucial as that may be in our relations with other peoples. We are entering an age in which, under pressure of our tremendous industrialization, conventional resources are diminishing in the face of rising use. Today the United States is using some 50 per cent of the world output of mineral resources, its percentage rising to 66 per cent for oil. A nation of 150,000,000 people, we are tapping the resources of a score of nations for critical metals, even for the uranium to make our bombs and keep



our nuclear fires burning. At the same time, if we are sincere in our Point IV professions, we shall be encouraging peoples numbering ten times our population to increase their demands upon these resources. And these peoples are becoming very conscious of the fact that the extraction of their natural resources to meet the needs of the Western world does not mean rising standards of living for themselves. In other words, it may be less important to outstrip the world in the production of atomic weapons than to develop institutions which can carry out a new dynamic conservation policy, one that conserves by creating resources.

Nearly fifty years ago Gifford Pinchot, the true father of conservation in this country, emphasized its significance in these words: "The conservation of natural resources . . . is the key to the safety and prosperity of the American people and all the people of the world for all time to come. . . . Moreover, conservation is the foundation for permanent peace among the nations and the most important foundation of all." A generation later, just six months before Pearl Harbor, Pinchot addressed the American Scientific Congress on "Conservation as a Foundation of Permanent Peace." The main point of his address was a proposal that "the nations of the Americas prepare now for an endeavor to bring all nations together, at the right moment, in a common effort for conserving the natural resources of the earth, and for assuring to each nation access to the raw materials it needs, without recourse to war." "No nation," Pinchot continued, "is self-sufficient in essential raw materials. The welfare of every nation depends upon access to raw materials which it lacks. Fair access to natural resources from other nations is therefore an indispensable condition of permanent peace." He suggested establishment of a commission representing all the American countries to work for this objective.

In our post-war world such a commission would be an agency of the United Nations. It might have three divisions—one responsible for conventional resources, one for atomic energy, and one to push the frontier of man's dominion over the resources of the universe to the point where fair access would no longer mean an apportionment from scarcity. This agency would encourage great programs for the development of limitless resources yet untapped, so that each nation could meet its needs without diminishing the shares of others.

TODAY the question is raised whether there will be enough source materials for our atomic-energy program. According to information released by the Atomic Energy Commission, we are now obtaining such fissionable raw materials from the Belgian Congo, Canada, and our own Colorado Plateau. Additional material is expected from South Africa, Australia, and other deposits in the United States. Further search in this country and abroad is considered likely to enlarge A. E. C. supplies.

But what of other nations? As Robert Maynard Hutchins, associate director of the Ford Foundation, recently remarked, the United States needs atomic energy least of all nations for peaceful purposes and thinks it needs it most for military purposes. "If it were not for the fact," Mr. Hutchins said, "that the United States, which regards atomic energy as a weapon, is the center of research and development in this field, atomic energy might be coming to the rescue of countries that are poor in energy and that are unlikely to reach a satisfactory standard of living unless they can find new resources of it." He mentioned India particularly as hardly likely to achieve industrialization on a large scale in the absence of discoveries of coal and oil or the exploitation of atomic energy.

Similarly, the President's Materials Policy Commission found that Western Europe's continued economic progress is endangered by a particularly serious

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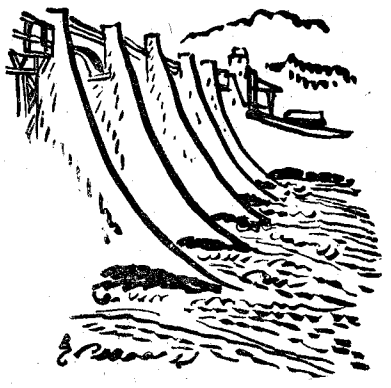
energy problem. Dependent upon coal as its chief source of energy, Western Europe is being forced more and more to dig coal from poorer seams at greater depths. This explains the interest of Great Britain, France, Norway, Holland, and Belgium in the development of nuclear power. The republics of Latin America are also eager for the benefits of the atomic age and for much the same reason. In general their fuel resources are of low grade and limited in amount. So, all told, nuclear energy can play a great part in the adjustment of nations to the new world order. But this will only be possible if we keep the control of our atomic program in the hands of our new governmental institution and so assure our effective participation in a United Nations atomic program designed to give the energy-poor nations an opportunity to share in our economic progress.

IN TERMS OF this approach the atomic-energy program must be recognized as just the first in a series of programs aimed at sustaining widely distributed advances in civilization. Such advances, if freed from the restrictions of monopoly, hold the promise of ending want everywhere in the world. But in the field of energy they must unlock much greater stores than the most optimistic estimates of the earth's uranium and thorium suggest are available.

The Congressional hearings which led up to the Atomic Energy Act are full of hints that science can meet the need. As Dr. Philip Morrison said, man will not live the same again for this advance; the changes which will come are sure and great beyond prediction. "When science learned to control mechanical and thermal energy," he said, "we had the early nineteenth-century maturing of the industrial way of life. When science learned control over electrical energy, we had the manifold changes which electricity brought to daily life and the structure of nations. When the chemists understood the nature of chemical energy, there was opened the way to new materials, to freedom from the restrictions of mine and farm, to the changes which chemistry is even today still bringing us. Now we have nuclear energy, based on a more profound insight into and control over matter itself."

Some conception of what this new age may bring is provided by the testimony of Dr. Alvin M. Weinberg, director of nuclear research at the A. E. C.'s Oak Ridge national laboratory. To him the increased production of radioactive carbon, now a by-product of the atomic program, offers greater possibility of providing the world with unlimited low-cost energy than the reactor piles which command so much attention. He said: "Just as plants synthesize sugar under the influence of sunlight, so many other chemical reactions—some of considerable importance industrially—can be made to proceed in the intense radiation field of a chain-reacting pile. . . . If man could duplicate this photosynthesis process [of manufacturing sugar out of carbon dioxide, water, and sunlight] first in the laboratory and then on an industrial scale, the bountifulness of the earth would be multiplied indefinitely. The world's fuel and food supply would be assured as long as the sun continues to emit light. . . . If as a result of our greatly increased production of radioactive carbon the riddle of photosynthesis is solved, that, and not power plants or atomic bombs, will stand as the greatest achievement of nuclear power."

Former President Conant of Harvard, now ambassador to Germany, saw the same vision in his crystal ball when he spoke at the Diamond Jubilee of the American Chemical Society. Looking ahead to the end of the century, he saw the era of liquid fossil fuels—oil and natural gas—coming to an end and worry about future coal supplies increasing.



He saw atomic energy failing to live up to expectations as a way of lengthening the period in which man can tap the energy stored in the earth's crust. Solar energy, on the other hand, in his vision would have significance in 1975, when the American Chemical Society would be celebrating its 100th anniversary, and by the end of the century would be the dominating producer of industrial power.

THE NEW institutions of the atomic age, following the pattern of the Atomic Energy Commission, must be capable of undertaking such huge resource-creating projects, unlimited by the rules which govern investment decisions in the private-capital market. They must be able to finance enterprises offering tremendous gains to succeeding generations though not profits that can be translated into present dollars. They must hold the resources so created as the inalienable possession of the people.

Just beyond the horizon are such great achievements as these: (1) direct transformation of atomic energy into electric energy without the intervention of the steam boiler; (2) extension of the use of atomic fission to other elements than uranium and thorium, with resulting possibilities in the way of transmutation of matter; (3) ultimate control of the huge energy released by hydrogen fusion, the principle of the H-bomb; (4) utilization of the sun's energy through the photosynthesis process described above; (5) a revolution in food supply based on the same process; (6) harnessing of the internal energy of the earth, which Professor S. Devons, British authority on energy resources, places as intermediate between atomic and solar energy; and (7) large-scale low-cost desalting of sea water to provide irrigation for desert areas.

These possibilities can be realized if we build and maintain the necessary institutions. A peace-time budget equal to 10 per cent of what we are spending for war, if applied to such purposes by a great public agency like the Atomic Energy Commission employing the creative power of private enterprise, would mean the cooperative utilization of the only real resource which is inexhaustible —mind.

The great challenge to all of us is to understand the lines along which democratic society is advancing in the field of resources and to make sure that any proposals to amend the Atomic Energy Act will be weighed in terms of their effect upon the development of institutions adapted to the atomic age and to the preservation of this new sector of the public domain.

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J. Alvarez del Vayo

New Anti-Israel Policy?

Paris

THOUGH its role in the Middle East has greatly diminished, France is following very attentively the developments in the Arab states. This is natural if only on account of their political and religious influence over the restless populations of Tunisia and Morocco and other Moslem sections of the French Union. Within the last few days a meeting of all French envoys to Arab countries was held at Beirut to review the entire situation.

From the beginning French diplomacy has been skeptical about the prospect of establishing MEDO (Middle East Defense Organization). Much earlier than Mr. Dulles, and before his recent extensive trip, the Quai d'Orsay had come to the same conclusion as the Secretary of State—that the creation of a Middle East defense organization would have to be postponed because the Arabs are "so engrossed with their quarrels with Israel and with Great Britain or France that they pay little heed to the menace of Soviet communism." But French observers are convinced that Washington has not given up its plans for Near and Middle East security and that what is happening now is a readjustment of previous ideas and tactics, following particularly Turkish advice.

It seems, in fact, that Ankara was the real center of interest in Mr. Dulles's visit to twelve countries. Historically, Turkey is in a favorable position to exercise its influence throughout that area. While it is true that the first explosions of Arab nationalist revolt against foreign rule, during the nineteenth and even well into the twentieth century, were directed against the Sultan-Caliph in Constantinople, these could not blot out four centuries of Turkish dominance. Since the beginning of the cold war Turkish diplomacy, intelligent and daring, has been questioning whether the process of nationalist break-up into a number of "sovereign" but politically immature states would prevent a counter-process, based on fear of Russia, toward a kind of new regional unity or organization that would support the military plans of the Atlantic coalition—much as the new Balkan alliance is designed to do.

Turkish diplomacy, which played so important a part in bringing the Balkan pact into existence, realizes of course that the problem of the Arab states is quite different. The three members of the Balkan pact—Greece, Turkey, and Yugoslavia—had already achieved more or less internal stability, Greece thanks to a permanent American "presence" which has been helpful not only in solving the country's financial difficulties but also in surmounting successive crises in the government itself. In the Arab states nothing was stable and nothing was strong. Even the two "iron men," Naguib of Egypt and Shisheikly of Syria, were having trouble keeping the extreme nationalists in line and avoiding irrevocable decisions which would produce a definitive break with the West. This was still more evident in the case of the weaker links of the Arab chain, such as Iraq. In the opinion of the Turks the most important thing to do at present is to try to concentrate Arab distrust and hate exclusively on the state of Israel, diverting it as far as possible from Britain and the United States. In their view Israel might also be brought into a Middle East defense system but at a later stage and not as the "protégé" of the United States.

IN ANKARA officials frankly told Mr. Dulles that Turkey had concluded that participation by the Arab states in any defense organization, on the model of NATO or of the projected European Defense Community, was most unlikely for the foreseeable future. They recommend elasticity, subtlety, and patience, a new approach aimed at appeasing the Arab countries by spending a lot of money there and by convincing them that the United States would never sacrifice them under pressure by the powerful forces in America engaged in the promotion and aid of the state of Israel. In his June 1 radio address Mr. Dulles pointed out that the tripartite declaration of 1950 in which the United States, Great Britain, and France guaranteed the frontiers and armistice lines of Israel failed "to reassure the Arabs." It did not surprise French observers when he declared that the United States must make clear its determination to stand "fully behind that declaration" in order to calm Arab fears of Israeli aggression.

Of course every diplomatic operation in the Middle East has to by-pass the obstacle of American-British rivalry in the area. Years ago French diplomacy might have engaged in a competition from which France could have benefited as a third factor. Today this barely submerged struggle only makes it more difficult for the French to avoid annoying the Americans by taking the side of the British and vice versa. French officials are worried by the dynamism behind the United States effort to assume leadership in the Middle East. They know that there is a point at which Great Britain must stand firm: it cannot abandon entirely its hold on Suez—the last strategic route in the defense of what is left of the old Empire.

An interesting aspect of the situation has been the behavior of the Russians. Contrary to what has often been charged, they are not carrying on inflammatory propaganda against Britain among the Arab nationalists. They probably prefer the presence of British military forces, which are there exclusively to protect British interests, to control by the United States, which would mean transforming the Middle East into a strong military base against the Soviet Union.

To sum up the story, what is expected here is a new approach by the United States to the problem of Mediterranean and Middle Eastern defense—a slower, more diplomatic approach, but by no means one that would mean abandonment of the idea of a Middle East defense organization or of American dominance in the area.

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MOROCCO IN TURMOIL

II. What Moroccans Want . . *by Alexander Werth*

Casablanca

FROM the French in Morocco one hears a little of everything: approval of colonial exploitation in its most blatant form, insistence that it is France's sacred duty to the Arabs to allow them to benefit *gradually* from French culture and economic planning, the conviction that it is no earthly use looking too far ahead —"Heaven only knows what might not happen in the next ten years; we've got to keep the place under control and see that the 350,000 Frenchmen who have settled here come to no harm."

Up on the hill, in the beautiful quarter of Rabat, the administrative center of Morocco—a whole city of sumptuous white villas—I had numerous talks with French officials and found most of them a good deal more reasonable and less *simpliste* than the fire-eating M. Boniface of whom I wrote last week. They readily admitted French shortcomings. Native wages were of course too low, and the Residence was having to fight a stiff battle against the *réticence*—a lovely euphemism—of certain employers. Only 200,000 little Moroccans were at school instead of 1,500,000, but it took time to train teachers; the situation was much worse in Pakistan or Egypt or Iraq. Lots of young Moroccans ("sorry, I can't recall the exact figure") went to French *lycées*. It wasn't true that the French settlers had taken all the good land—they had taken just "ordinary" land and improved it, not more than 20 per cent of the arable land, anyway. The hardest of all problems was to get the small peasant to use modern methods of cultivation; the peasants bred too many inferior animals, which ate up everything, including young trees, but were not strong enough to pull a metal plow; hence the tendency to stick to the old wooden plow which cut the harvest in half—it was a vicious circle. But gradually they were learning, irrigation was making rapid progress, and the French officials were doing their utmost to increase output. Unfortunately, the Moroccans weren't used to administering anything —"a year or two ago we asked the local Moroccan authorities to organize the proper registration of births and deaths; after several months of complete muddle we had to take over, using the Moroccans merely as a screen."

Sidi Mohammed
Sultan of Morocco

Many Frenchmen went to a lot of trouble to explain why they could not agree to the Sultan's proposed reforms in municipal administration, legal procedure, and labor regulations. We really haven't the right, they said, to throw the Moroccan workers into the arms of Communists or trade-union extremists! "For my part," one important official remarked, "I think we should have company unions along Vichy lines." I noticed, indeed, on more than one occasion that Vichy was still considered a respectable tradition. The fellow who really started the the trouble—how often I heard Frenchmen here say it!—was President Roosevelt, who over the heads of the French authorities arranged a private meeting with the Sultan and put all sorts of crazy ideas into his head about the Atlantic Charter and Morocco's right to independence. The Moroccan nationalists and the people around the Sultan will tell you that, alas, the Americans aren't what they were in Roosevelt's day. It seems, indeed, true that the new American Administration is not encouraging Arab nationalism; one theory is that the Casablanca riots played into the hands of the French, giving them an excuse to scream about the menace of communism, which they alone were capable of checking.

The Sultan is in an awkward spot. He feels a prisoner of the French in Morocco and has repeatedly asked that French-Moroccan negotiations be transferred from Rabat to Paris, where he can rely on a good deal of support from public opinion. But the French government will not hear of it. Now the Sultan wants to go to France for a "rest cure." Whether his plan will be approved remains to be seen; the Residence has no desire for him to meet, say, M. Mauriac, or the more liberal type of politician like Edgar Faure, or even the repentant Robert Schuman.

The Sultan's line, so far as I could discover from conversations with his son, Prince Moulay Hassan, and others who know him well, was something like this: It would be disastrous if the French suddenly pulled out leaving the country without technicians, police, or administrative *cadres*. But a time limit to their rule should be fixed, say, twenty-five years. Meanwhile steps should be taken to train Moroccan *cadres*. French economic interests could be fully guaranteed. The French have proposed nothing except a few fragmentary reforms. Recognition of the principle of free elections and of freedom of assembly, association, and the press is regarded as a mere beginning.

The Sultan's greatest nightmare, I was told, was co-sovereignty—the root of the

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ALEXANDER WERTH is The Nation's *Paris correspondent. The first part of this article appeared last week.*

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trouble in Tunisia. He was against Frenchmen, except as Moroccan citizens, sitting in any future parliament; nor did he favor a half-French, half-Moroccan government on the Tunisian model. He wanted an all-Moroccan government assisted by French technicians. He favored a reform of the judiciary with full "separation of powers"; this meant that the *caid* would no longer exercise the triple power of lawmaker, judge, and executor of his own decision. If independent judges were to be set up, the Sultan would abandon some of his own judicial prerogatives. (The French reply to this is that the country, with its complicated Arab and Berber machinery of justice, is not prepared for the application of a legal system largely based on French practice and the French code.) The Sultan was also in favor of complete trade-union freedom; the French will only consider trade unions with a half-French, half-Moroccan governing body, being particularly afraid of a replica of the Tunisian labor federation. At present the French are practically monopolizing the key positions in government, and, more important, are also aiming to perpetuate their presence in any "new" Moroccan institutions. The Sultan is trying not only to "colonize" present institutions but to open the door to the eventual ousting of the French from new ones.

In order to exert pressure on the Sultan the French have been encouraging certain conservative religious groups in Morocco who disapprove of the Sultan's "modernism"—for example, his daughters' abandonment of the veil. And they have incited el Glaoui, the aged Pasha of Marrakesh, and other tribal chiefs of the south, as well as a rather phony demagogue named Moulay Idriss who poses as a purer and more saintly pretender to the Sultan's throne, to make a lot of noise about the Sultan's "unorthodoxy." When Lord Mountbatten visited Morocco, the French made sure that he would attend a feast organized in his honor by el Glaoui and did not let him see the Sultan. At Marrakesh the sale of the Sultan's portraits is prohibited. The petition demanding the Sultan's deposition, signed by two-thirds of all the pashas and caids, obviously on instructions from the Moroccan French and their friends, is pretty ominous. The idea is that when enough such "spontaneous" demonstrations against the Sultan have been made, the French authorities will step in officially and "arbitrate" against him.

TOURISTS in Morocco love the Djemmaa-el-Fna, the great square of the native city of Marrakesh, which at nightfall is crowded with story-tellers, beggars, snake-charmers, acrobats, jugglers, pimps, open-air barbers, and pastry-cooks. Behind it the labyrinth of narrow lanes and miserable little shops, filled with crowds of veiled women, with donkeys and bicycles, is filthy and sordid in the extreme, and the large Jewish part of Marrakesh is even worse. "How do all the shopkeepers manage to live?" I asked one of the few "progressive" Moroccans I could find at Marrakesh. He told me a long story of almost unbelievable human degradation. The French were doing their little bit to help but not nearly as much as in the north, the "Sultan's part of Morocco." Here the French did not have to bother. The people were ignorant and passive. The caids and sheiks levied whatever they felt like levying on the peasantry ("no wonder a lot of them flock to the *bidonvilles* of Casablanca"). As long as there was no active opposition to the feudal order here in the south and as long as el Glaoui continued to rank as "France's best friend," there would be little hope of improved conditions.

This is the kind of thing against which the Moroccan nationalists have been rebelling. Lyautey's policy was to unify the country under the authority of the Sultan; the present French administrators stress the differences between the Arab part, which is loyal to the Sultan, and the Berber part, where the Sultan "is not really recognized." It has, indeed, been the French colonialists' policy to seek the support of the most reactionary elements in the country. Naturally, conditions are not the same everywhere. Around the very modern zinc and lead mines in the east, good houses have been built for the workers, and, for Morocco, good wages are paid.

The Istiqlal has more or less gone underground. As a nationalist movement it has no great leader enjoying the prestige of Bourguiba in Tunisia. The Sultan, without seeing eye to eye with it on everything—in theory at least the Istiqlal wants immediate independence—is openly sympathetic, but he has been pretty well "isolated." Of the party's six principal leaders three are in prison, one has been deported, and two are abroad—one in Egypt, the other in the United States. The French extremists claim that by hitting very hard in the Casablanca December riots they smashed the Istiqlal, the Communists, and the trade-union movement. Estimates of the number of Moroccans in prison vary from the French 400 to the Istiqlal's 4,000; but I rather think that the French figure applies to Casablanca alone, and as the *Figaro's* special inquiry suggested, the arrests were not confined to Casablanca.

Trade unionism is really at the center of the Moroccan conflict. The Moroccan trade-union federation is a branch of the C. G. T., which is controlled in France by the Communists. In Morocco the Istiqlal was gaining more and more control of the trade-union movement, and, according to Moroccans well on the inside, was planning to eliminate French and Moroccan Communists from the governing body of the federation and to substitute its own people. (As a result of the riots the February meeting at which this shift was to be accomplished never took place.) The Istiqlal also intended to apply for membership in the International Confederation of Free Trade Unions, which is eminently "respectable" from the American point of view; the C. I. O. and the A. F. of L. belong to it and so does the Tunisian federation. This was obviously the last thing the French authorities wanted. It looks as if they would even permit French Communists on the board to prevent the Moroccan trade unions from becoming "respectable" in American and Social Democratic eyes.

IF THE ISTIQLAL, as M. Boniface insisted, is "nothing," is "zero," why have so many people been put in prison? Why has the nationalist press been totally suppressed? Why are there no signs that the Istiqlal leaders will soon be given a fair trial? An important official told me the principal leaders would probably never be tried at all—it would be much "simpler" to keep them isolated "as long as necessary." Progressive opinion in Paris may have a word to say about this. Even in Morocco numerous Frenchmen —teachers, lawyers, doctors, and some business men—are becoming increasing-

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ly aware of the dangers of the "tough" methods used by men like Boniface and, albeit reluctantly, indorsed by General Guillaume, whose line seems to be that with a gradual improvement in the standard of living the people will cease to be unduly troublesome. The campaign conducted in France by Catholic intellectuals has made many Moroccan French revise their thinking.

Moroccan nationalists, no longer believing much in American support and even beginning to agree with the Sultan that it may have been a mistake to bring the question of Morocco before the U. N., are responding favorably to the still timid overtures of the more liberal French. What they want, of course, is an amnesty for the Moroccans now in prison, an improvement in the standard of living, accelerated health and education measures, abandonment by the French authorities of their attempts to undermine the Sultan's authority through the creation of artificial opposition "movements," and the resumption of serious negotiations for fundamental reforms between the Sultan and the French government—not, indeed, in the hothouse atmosphere of Rabat but in Paris. Nationalism may not have much influence yet in the feudal south, but among the shopkeepers of Fez and the proletariat of Casablanca it is very potent, and it is making rapid headway even in the *bled*. The country is not yet anti-French on the whole, not even after the Casablanca affair; where personal contacts between the French and the Moroccans are frequent, relations are usually not bad.

The French still have every chance of making life bearable for the natives, and of keeping a fairly large part of the cake. All the more intelligent officials in Paris know it; their great problem is how to overcome the excessive greed of the colonialists. So the bulk of Moroccans are looking for their salvation not to Washington but to Paris. Oddly enough, the man whose attitude has been most disappointing is President Auriol.

REPUBLICAN MINK

A Spry, Climbing Animal . . *by Una F. Carter*

Washington

SOCIETY in the national capital has returned to something resembling the glittering, extravagant practices of half a century ago. Society reporters give ecstatic descriptions of the "new tone" Republicans hosts and hostesses have brought to Washington after twenty years of the Democrats, and proclaim the "new era" to be the most elegant, formal, and expensive in at least a generation. To put the matter briefly, Alice Roosevelt Longworth, the Princess Alice of another Republican period, has quit wearing the slouch-brim hat she affected during the Truman Administration.

Bare shoulders, mutation mink, and champagne flowing from lighted fountains are commonplace. The "cave-dwellers," resident socialites who looked down their noses at Democratic party-giving, have come out of virtual retirement. Rank and protocol are taken more seriously than they have been in decades, white ties and calling cards have come back, and neophytes are busily thumbing the pages of the "green book," as Mrs. Carolyn Shaw's social list is known.

UNA F. CARTER, a former member of the White House staff, has long been a reporter of the Washington scene.

In former years Lent provided a breathing spell for capital hostesses. But many who used to observe the season went to parties this year even if they did not give them. Apparently they could not afford not to be seen. Even the Tafts, who have not entertained elaborately for several years, gave a tea

at their Georgetown home for Mrs. Eisenhower. The Taft party, however, was a simple one by today's standards; according to Mrs. Taft it started small and just grew. Mrs. Clare Boothe Luce said the same of the dinner she gave for Speaker Martin, which ended up as one of the most dazzling events of the season.

Mrs. Luce's dinner and her Easter-week tea took place at a hotel. This illustrates a basic difference between the elegance of former years and that of the present. Though much distinguished and purposeful entertaining is still done at home, hotels and clubs form the setting of the most lavish parties, not the rococo mansions near Dupont and Sheridan Circle. The Shoreham, the Mayflower, and the Statler can provide the pomp, including gold table service, that in earlier days characterized functions at the Walsh, Leiter, and Medill mansions. The marble-fronted Medill house, once the home of Eleanor Patterson, now houses the sedate Washington Club, of which Mrs. Woodrow Wilson has been a member since she was Edith Galt. The Leiter and Walsh houses—the latter the girlhood home of the late Evelyn Walsh McLean—are now offices.

A particularly splendid affair was the "reception and buffet" at the Mayflower

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Hotel when Generalissimo Rafael Trujillo, boss of the Dominican Republic, swept into Washington—he was not made so welcome during the Roosevelt and Truman administrations. To call it a "reception and buffet," the Washington *Post* said, was an understatement: "Just listen to the main dishes that were served: pheasant en plumage, lobsters, salmon in aspic, roast Vermont turkeys, filet of beef, black beans, and roast lamb." There were "soft lights and banked ferns . . . champagne from lighted fountains . . . bouquet after bouquet of flowers . . . a buffet table fifty feet long . . . a raw bar with appetizers." Not the least of the spectacles was the presence of Trujillo's ten-year-old son, resplendent like his father in white tie and tails.

Foreign policy, of course, affects the popularity and social standing of the embassies—the once gay Soviet embassy resembles a mausoleum today—and for some time the British and French diplomatic staffs have been at the top of the heap. Embassies that were dark during the war are once again in favor; guests at the Japanese embassy, for instance, are "enchanted" with the style that marks small parties there. The visit of Chancellor Adenauer brought the old German embassy back into the social spotlight. To honor him the chargé d'affaires invited 2,000 to a reception. The engraved invitations bore the German eagle in gold.

The calendars of the White House and the Cabinet wives are being scanned with great expectations. The First Lady has not yet selected a social secretary, but there will be disappointment in Washington if next winter's White House social season is not the most formal and stately in a generation. The Cabinet ladies have not cut a spectacular swathe—some are criticized for not being more chic and photogenic—but most of them are already finding the pace in Washington pretty rigorous compared to the quiet lives they lived back home. An interview with Mrs. Wilson was headed "What's Good for Erwin Is Good for Mrs. Wilson," which may presage the kind of social life she will lead.

In anticipation of the big times ahead Washington society has engaged space at leading hotels and clubs far in advance. The Presidential room at the Statler, which can seat around 600, has bookings three years ahead.

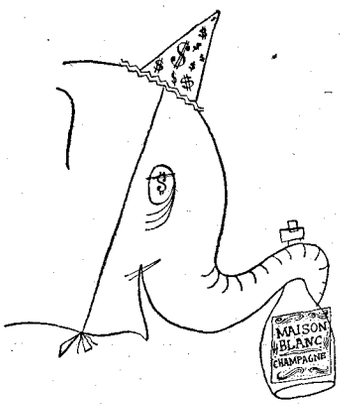
THE AVERAGE Washingtonian is as much interested in who will be the town's number one hostess as in who will be the next woman ambassador. Mrs. Morris Cafritz, once Mrs. Perle Mesta's chief rival, achieved a coup in bagging most of the Cabinet for a post-Inaugural party and was among the first to entertain Vice-President Nixon. Still, there are those who think the social crown may rest more becomingly on the staunch Republican head of Mrs. Robert Low Bacon or Mrs. Truxton Beale of Lafayette Square, to whose house the diplomats have been said to "go for a good time after the dismal routine of shaking hands with the President at a White House reception." Mrs. Robert Guggenheim is a younger contender, and her husband has the necessary financial requirements. The former ambassador to the Soviet Union and Mrs. Joseph Davies, whose parties were famous during Democratic administrations, are likely to hold their own.

Relative newcomers are among the topflight party givers. Bazie McCormick Tankersley, daughter of the late Ruth Hanna McCormick and niece of Colonel Robert R. McCormick, has taken to entertaining on a lavish scale since she gave up the editorship of the Washington *Times-Herald*, sister paper of the Chicago *Tribune*. For Colonel McCormick's convenience the *Times-Herald* has bought an imposing house in the vicinity of the French embassy, installed an elevator, dubbed the mansion a "guest house," and made it available to visiting V. I. P.'s of the Colonel's faith. He is expected to use it more than ever now.

Two institutions of Washington society are the club and the "finishing school." The newest of the clubs is sponsored by a group of Republicans incorporated as Capitol Hill Associates. Sometime before the election this group bought up a block across the street from the old House Office Building and remodeled one of the houses to provide party space, a cocktail lounge, and guest rooms. Republicans with $1,000 to spare—that is, the first 5,000 who wish to do so—may become life members. Regular annual dues are only $50, a fraction of the cost of belonging to the Sulgrave Club, where Senator McCarthy and Drew Pearson once briefly engaged in fisticuffs.

"Finishing schools" are enjoying a flashy success. Mrs. Agnes McCall Parker's School of Personality Development was recently featured on Edward R. Murrow's Sunday TV show. Mrs. Gladstone Williams operates the Southeastern University Finishing School. For $100 either will take in tow the timid wife of a bureau chief, a gauche Congressman, or even a second secretary from Embassy Row, and in three months' time inbue the awkward tyro with the rules of etiquette necessary to social success. The widow of a Wilson Cabinet officer, herself a grande dame of Washington society, was invited to give a talk at one of the schools on "how to maintain a social position in Washington."

Washington society, such a talk might explain, is different from that of any other American city, or even any other capital in the world. Position is dictated by government rank and political affiliation rather than by birth or money. Money helps, but today the surest key to social acceptance is belief in the old-fashioned virtues of the Taft vintage—William Howard Taft, preferably.



Drawings by Arthur Collins

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BOOKS

Have We Misread the Constitution?

POLITICS AND THE CONSTITUTION IN THE HISTORY OF THE UNITED STATES. By William Winslow Crosskey. University of Chicago Press. Two Volumes. $20.

By Charles E. Clark

PROFESSOR CROSSKEY'S new book on the Constitution is an exciting work. It is exciting for a reason as unique as it is admirable with respect to this type of book, namely, the intellectual punch it delivers. We are accustomed to stately works ringing the now accepted changes of reverence to the Constitution in its modern guise as fashioning a union of diverse, almost warring, states. Occasionally we do find specific criticism of the creaking governmental structure which results and some despairing hope for change in the direction of modern efficiency. But this opus is something quite different and beyond our experience. For it is a new history, the fruit of nearly two decades of patient research, which presents the direct challenge that the original plan and intent of the Constitution was the creation of a simply conceived national government. A possibility of simplicity in place of infinite complexity, of effective functional action instead of near-paralysis amid competing sovereignties, is surely alluring. And with proof so detailed and withal so persuasive as here afforded, we must hail this as a major scholastic effort of our times.

The feat of scholarship is perhaps the more remarkable when we come to see that the author's main thesis rests upon an utterly simple approach: interpreting the letter of the great document primarily in accordance with eighteenth-century views of language, form, and substance. With propriety he calls the resulting panorama A Unitary View of the National Governing Powers. Emerging fully as clear cut are his correlative and supporting theses. Of these, the two he singles out for the greatest stress are The National Power over Commerce and The National Judicial Powers. These, too, a reviewer may pinpoint to illustrate the author's method and approach.

First, as background we must note the infinite pains taken to recreate a vocabulary which appropriately mirrors the eighteenth-century mind operating in the constitutional framework. Thus we have an extensive catalogue of all manner of usage in pre-convention days of the term "commerce," showing, indeed, its broad inclusiveness. The same process is employed as to the other terms of the constitutional grant over commerce; and the pre-constitution usage is supported by the contemporary discussions centering around the making of the Constitution and the notable debate which preceded its adoption in the states. This leads directly to the constitutional interpretation, in terms generally of strong governmental powers, which prevailed originally and which has suffered a gradual decline to the weaker governmental entity we now know.

IT IS AGAINST this tapestry, so fully displayed before the reader's eye, that the famous clauses undergo a revitalization of meaning and take on new dynamism. Consider the first power listed, that of the legislature, and the first general statement of its authority beyond the power to tax and to borrow money, to wit, the power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes." The middle phrase has suffered a debasement down to our modern concept of power over only "interstate commerce," famous words of modern times, but unknown to the man of 1787 and dating apparently from the middle of the last century. Others of the constitutional words have also suffered sea change by shrinkage: "among" becomes "between"; the states are now mere territorial subdivisions between which some physical movement has become visualized; and "commerce" itself has been narrowed to mean only a special kind of business enterprise. Hence the phrase now is reduced to permitting some limited control over this restricted form of enterprise only when it actually and visibly moves "from the territory of one of our states to that of another." But under our author's compelling exegesis the phrase comes to life as including all matters of trade or business activity had among *or within* the states all over the country and supports and justifies the widest Congressional supervision of the affairs of men considered as people of a single union. Thus, for example, we should not need to await the tedious and only partial accomplishment of the strongly urged uniform commercial acts—with a uniform law of divorce not even dared—to secure the benefits of free commerce subject to like law throughout the states. Instead, Congress is summoned, even in the dedication of the book, "to claim and exercise for the common good of the country the powers justly belonging to it under the Constitution," including that of formulating just such commercial codes and general social laws as are here contemplated.

A similar demonstration leads to the conclusion—further discussed below—that the original constitutional intent was to create a single national judicial system, with the Supreme Court at the apex of all courts, state and federal. Briefer treatment sets forth the interrelationship with the commerce clause of other provisions of Article I, notably the imports-and-exports, ex-post-facto, and contracts clauses.

To do even partial justice to the demonstration, some brief reference must be made to certain other features of the supporting argument. Thus it is held that accepted rules of eighteenth-century approach to state documents require recognition of the custom to state an intent as an inclusive generality, followed by an enumeration of details of an informative but not exclusive character. Hence the enumeration of the powers of Congress—now made the bulwark for the limiting interpretation of the Constitution—is held not to subtract just the

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CHARLES E. CLARK, noted legal scholar and former dean of the Yale Law School, is now judge of the United States Court of Appeals, Second Circuit. A greatly expanded version of this review will appear in the autumn, 1953, issue of the University of Chicago Law Review *as part of a symposium on Professor Crosskey's book.*

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specified powers from the states. Rather it is addressed primarily to a different dichotomy, that between legislative and executive powers in the one unitary governmental system set up; the balance here inclined toward the legislature, an emphasis needed if the historic power of the royal prerogative was to be lessened and the dangerous weakness of the earlier Congress to be corrected. Finally to be dissected is the famous Tenth Amendment, reserving to the states or the people the "Powers not delegated to the United States by the Constitution nor prohibited by it to the States." Here the solution is that made, among others, and again from an eighteenth-century background, by no less a person than James Kent in a decision in New York in 1812, to the effect that the powers not exclusively transferred to the United States or prohibited to the states *may still be exercised* by the latter, as well as by the people.

EVEN THIS inadequate summary shows how revolutionary this thesis is to an age accustomed to see the states successfully fighting the national government on all stages, from control of precious national resources to exercise of taxing and regulatory powers in many forms and guises. Does the author adequately prove his case? Only a historian of quite a degree of sophistication can judge with finality and as to details. But for the ordinary reader and patriotic citizen, anxious for his government to exercise effective leadership in the global role now thrust upon it, Professor Crosskey surely proves enough to require a fresh approach in our constitutional thinking. For at the very least he does demonstrate beyond what seems to me the possibility of doubt (1) that an exceedingly powerful argument can be made for a widespread eighteenth-century intent or desire for a stronger central government than we have now evolved, (2) that the constitutional language is much more apt to sustain such an intent than our juristic thought now concedes, (3) that considerable early thought, including Supreme Court decisions, so interpreted the infant Constitution, and (4) that exigencies of political strife shaped and molded the great charter to its present form.

Although I suspect the contrary will be the case, the last of these points I have stressed ought not to come as a shock or even as a surprise to a generation accustomed to a realistic approach to law and legal actions. We know that contracts and legal documents generally may be variously interpreted against different backgrounds, particularly where new circumstances bring new problems not appreciated in the original bond. So even the words of a written Constitution may acquire quite a different significance as the years pass. And the reasons why the Jeffersonians, representing broadly the masses as against the propertied classes, should have feared the power of a strong government, should have demanded a Bill of Rights and all the rest, seem now but a natural commonplace of the time. That the states, in the vacuum of power which the struggle tended to create, should be the obvious but rather unintended beneficiaries is also but a natural, even if chance, result. But here the author has seemingly courted opposition by the truculence with which he presents his views and the virulence of his condemnation of the politicians. Madison's star has perhaps dimmed, since his obvious changes of opinion to correspond with his politics do not evoke sympathy. But Jefferson is still a mighty force; condemnation of his actions even to the point of rehabilitating the Sedition Act was hardly necessary. It is likely to stimulate reactions such as those of one professorial reviewer who betrayed an emotional investment in the constitutional status quo curious to behold; he even suggested the unworthiness of a university press which would stoop to publish this original new work!

In truth the author's combativeness here may appear surprising; for except in some matters of degree the difference in party spirit and program of the era is well accepted. But the author does carry it farther than is customary. He has both Jefferson and Madison as early nationalists who departed from the faith for reasons political, while Marshall is shown fighting merely a rear-guard and constantly losing struggle, full of compromises, turns, and twists, to preserve a semblance of strength to the central government. So personal does he make this struggle and the motivations of the distinguished protagonists that many are likely to be turned away from his important thesis. Having known the author in all his forthrightness and obduracy from his student days, I can, I think, understand how his own conception of truth would not permit him to yield even the proverbial ell to the humanness of politicians. If the great X was that kind of petty heel, it must be so stated. Moreover, such a sense of personal involvement in long-ago battles was doubtless necessary to sustain research so ex-

The Book and Its Author

This is a book with an interesting history. William W. Crosskey and Robert M. Hutchins were students together at the Yale Law School. Impressed by Mr. Crosskey's qualities, Hutchins kept him steadily in mind in later years as a possible law-school instructor. After graduation, Mr. Crosskey served as legal secretary to Chief Justice Taft. Then he became a Wall Street lawyer, associated at different times with two of the great financial firms. Someone said of him that at the time he was "the only man in Wall Street with any regard for private property."

In 1933 the New Dealers passed the Securities Act and in the following year the Securities Exchange Act. Both statutes became Mr. Crosskey's particular care in the firm with which he was associated. What he calls "their complicated scheme of incidence" quickened an earlier law-school interest in the commerce clause and he read, for the first time, the entire report of *Gibbons* v. *Ogden*. Struck by Daniel Webster's primary argument, which was hard to reconcile with existing interpretations of the commerce clause, he began to reexamine the sources. In the meantime Mr. Hutchins had succeeded in luring him from Wall Street to the law faculty of the University of Chicago. There, in January, 1937, he began writing what he thought would be a *Law Review* article on the commerce power; fifteen years later the article had grown into the present massive work, which promises to be one of the most influential, widely discussed studies of the Constitution since Charles Beard's "Economic Interpretation of the Constitution" appeared in 1913.

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haustive for so many years with so little of definite encouragement from any source except one's own inner strength of character. Actually of course politicians and statesmen are neither so admirable nor so despicable as contemporaries and posterity love to make them. They can and often do operate from motives far from sublime, even those which are petty and vengeful; in short, they cannot avoid acting like human beings. And yet they do represent movements and trends which must come to the fore, if not through one group of protagonists then through another. There is an inevitability about conflict and change in affairs governmental which we must accept and expect.

But nothing so pusillanimous as this appeals to our author. Here is one person at least who is not inhibited by idol worship in an area where that has become an occupational disease and who, to use the apt Americanism, sticks his neck out to the utmost limit on all matters in which he profoundly believes. Thus I can think of no other instance of an author not only making his own detailed personal Index but carrying his argument over into it. Further, the book contains many an extensive deduction or assumption advanced boldly to fill gaps in factual material and to supply motivations. This is the kind of book it is; and even though I would have toned down some of the truculence I find something attractive in the forthrightness of the slashing attack. I can foresee that scholars will fall on many of the assumptions with delight and will demolish at least some. But except for surface reactions, that cannot demolish the book itself or refute the author's central ideas. Crosskey may not have succeeded in getting himself liked; but he cannot be ignored. After this no book on constitutional history or meaning can afford to overlook his researches.

HENCE this is glorious material for the professional historian, be his sympathies for or against the thesis presented. But I suggest it is much more than this; it is in fact a must for lawyers, political scientists, and plain ordinary citizens. For it brings up insistently the issue of the kind of government needed not merely for 1787 but also for 1953. I realize that the first reaction to the author's argument by the lay reader is likely to be: So what? After all, the court, responding to pressures over a century and a half, has construed the Constitution as it has; and the people have surely accepted the result, nay, are belligerent against any—outward—change. So it will be said: Let's leave to the students these faraway battles, while we go about our business of returning just as much power to the states as the pressure of world and local events will permit. The trouble is, however, that the militant advocates of the status quo have been able to seize an advantage which is not rightfully theirs. They have claimed all the support of the sacred document itself to use against those upstarts who assert a national power as a matter of right and necessity. Against such a heavy burden the forces of centralized efficiency can make only difficult headway without vicarious support from those twin forces of evil, to wit, war or depression. Except when those forces make the need overwhelming, we must be bound to a government the more inactive, that is, the more unobtrusive, the better. American genius can be expended to perfecting the automobile, discovering new labor devices for farm, factory, and home, and uncovering the atom bomb. Only in matters governmental must it remain bound by chains of the past.

So the great function of a book such as this is to show that these chains are hardly real and, in any event, are comparatively recent and man-made, to be unmade in like fashion if the will exists. In short, the purpose of history is to free man from the shackles of pseudo-history. We should be masters of our fate governmentally as much as physically, institution-wise as much as gadget-wise. And the days of planned experimentation in new ways of living together should definitely not be over. For if we do not take active measures with intelligent effort, the change is going to take place in any event imperceptibly and in ways we not only may not expect but certainly do not want. Such a book as this teaches overwhelmingly that change is coming in any event, no matter how unchanging may seem our governmental charter and its basic exposition.

Before such a bold spirit and so sublime a confidence I can only bow in admiration. Were the making of the government to be done over, I can hardly believe that it would not be along lines

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Crosskey advocates as still the true ones. I cannot subscribe to the view that the only way to freedom is via an inefficient and thereby hopelessly weak government. I do not believe man is so little master of his fate that only by putting stones in his way may he be trusted to walk at all. I believe that an effective government which can be made responsive to the will of its constituents is a necessity for survival. But even so, I cannot see signs that we are mature enough to accept the challenge. Yet new threats of war, new depths of depression may in time lead us to a new orientation of purpose and objectives whereby "We, the People of the United States," may act "to form a more perfect Union," to "establish Justice," and to "promote the general Welfare, and secure the Blessings of Liberty to ourselves and our posterity." When that time comes I cannot but believe that devoted attempts such as this to ascertain what was originally purposed and how results fell short of objectives will play a large part in shaping our heavenly city of the future.

New Books in Brief

Minor Leonardo

CARDANO. THE GAMBLING SCHOLAR. By Oystein Ore. With a Translation from the Latin of Cardano's "Book on Games of Chance" by Sydney Henry Gould. Princeton. $4.

Despite the absence of any attempt at popularization, this sketch of a minor Leonardo of the early sixteenth century makes curious and interesting reading. A physician by profession, Cardano followed the Renaissance pattern by taking all knowledge as his province and wrote voluminously on a great variety of subjects. He also engaged in the public disputations which were so important a part of the intellectual life of the times, quarreled bitterly with his contemporaries, was perhaps a bit of a charlatan on occasion, and certainly blew his own horn with typical Renaissance abandon. His only son was executed as a wife poisoner; he himself was once haled before the Inquisition; and he wrote about gambling both because he was a mathematician and because he liked the games —especially Primero, an early version of poker. Professor Ore, who is Sterling professor of mathematics at Yale, thinks that one of Cardano's works has never been properly recognized for what it is —namely, the first important treatise on probability.

Socialism in America

THE FORGING OF AMERICAN SOCIALISM. By Howard H. Quint. South Carolina. $6.

This careful, scholarly essay examines the numerous ideas and movements which merged in the American Socialist Party, formed in 1901—among them, Christian Socialism, Marxism, de Leonism, and the vision of Edward Bellamy. It is of course no substitute for Princeton University's two-volume "Socialism in American Life." Mr. Quint has limited himself to a sixteen-year period,

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reported more events than he has evaluated, and very inadequately indicated the impact of socialist movements upon American intellectual and political life. Perhaps his book is most valuable in showing how varied socialist ideas have been in America and how remarkably indigenous in American life.

Process of Civilization

THE PRIMITIVE WORLD AND ITS TRANSFORMATIONS. By Robert Redfield. Cornell. $3.50.

In this book the author considers certain changes in the life of man in society which have been brought about by the advent of civilization, and shows that after the rise of cities men became something they had not been before. In tracing the passage from precivilized to civilized life as a continuous process of breaking down and rebuilding the moral order, the author most stimulatingly manages to question some of the fundamental positions taken by anthropologists —principally the idea that progress cannot be scientifically recognized and that the weighing of cultural values has no place in scientific anthropology. The main theme of the book is the gradual development in men of some measure of control over their own moral evolution. Dr. Redfield tells the story well.

On and Off Broadway

WITH A QUIET HEART. An Autobiography by Eva Le Gallienne. Viking. $4.50.

A continuation of Miss Le Gallienne's autobiography published twenty years after the first instalment. "At 33" carried her into the Civic Repertory adventure; the present volume begins with the accident which nearly cost her life, describes her comeback, and goes on to her second career on and off Broadway. Like many other actresses Miss Le Gallienne has an almost monomaniacal passion for the theater, but unlike most she has always preferred to swim against the current. Manager as well as performer, she generally picked plays, whether standard or new, which most producers would have called "non-commercial," and she always had in mind a kind of theater a bit outside of "show business." Though the Civic Repertory finally succumbed, it was probably the most successful repertory enterprise of twentieth-century America, and it left its mark. We hardly need to be told that she is a person not easily discouraged, but her concluding sentence goes a good deal farther: "I have enjoyed the past, I find the present good, and I look to the future with a quiet heart."

Theater

Harold Clurman

Tel Aviv

ON MY way to Israel—where I have come to direct Shaw's "Caesar and Cleopatra" for the Habimah company—I stopped off in Paris for six days. I went to the theater five times. There would be little justification on this basis to generalize on the present state of the French theater were it not for the fact that three years' residence in the early twenties and frequent return visits to the city which someone has called "the capital of nostalgia" have made me specially aware of theatrical activities there.

There is not much need to generalize anyhow. Most of the facts speak for themselves: there were forty-two "attractions" on the boards in Paris the week of May 11 to 17—exclusive of the productions of the four national theaters, the two opera houses, and the two branches of the Comédie Française with its extensive repertoire of classic and modern plays.

The French complain more bitterly than we do of the high cost of mounting plays, although they do not seem to mind that the physical production of their plays almost everywhere except at the Comédie Française and with Barrault's now absent company is from our standpoint shamefully flimsy. When Irwin Shaw's "The Gentle People" was done in New York in 1939 with some of Boris Aronson's finest settings—and an excellent cast—its reception was rather mild; in Paris the play is a

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Foreword by Paul Robeson

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success in a production one could only accept at one of our least ambitious off-Broadway performances with a cast that ranges from a lively adequacy to a vehemently colorful crudity.

The direction of most productions in Paris today is of a rather slapdash sort, and the acting generally shows more scenic ebullience than finesse or depth. The virtue of the French theater lies in the wide range of its plays—however carelessly handled—together with the thematic maturity and the literary competence of many of them. The French theater is unmistakably ailing—materially and artistically—but even in this condition it gives many evidences of its rich tradition and the possibility of an eventual renewal.

The best theater in Paris is the Comédie Française, where the productions nearly always are done with a certain polish, and where the casts reveal careful training as well as the cosmetic exuberance that characterizes almost everything on the French stage. The production of "Le Bourgeois Gentilhomme" which I saw at the Comédie was extremely handsome, set in a sumptuous courtly manner—for though Molière was a champion of the middle class, his plays had to be fit for a king—with a cast superbly at ease in Molière's comedy style.

I saw a revival of Giraudoux's early play "Siegfried," which has many passages of ingratiating writing but which today seems dramatically feeble, though the French still find it entertaining because it celebrates how delightfully different they are from the Germans. The plot of "Siegfried" is hardly commensurate with the play's length, but the French audience is peculiar in this—that they are held by good talk, which in the theater means good writing, in a way that would astonish an American audience. Since good writing as such is much more frequent in the French theater than in ours, it is less difficult for the French author to turn out what the Parisians will consider a satisfactory play than it is for an American author to do the same for his audience.

The smash hit of Paris at the moment is "L'Heure Eblouissante" ("The Dazzling Hour") a French adaptation of an Italian play. Since it is to be done in New York next season, I shall not dwell on it now, except to say that it is a kind of bedroom variation on a Pirandello theme in which the town's trollop, under special circumstances, proves herself a devoted housewife, while the town's most steadfast spouse reveals unexpectedly wayward proclivities. The play is badly directed—but no one seems to care—and Pierre Blanchar, the "name" actor of the show, who is a poor comedian, plays the part of a fatuous husband fatuously. But the two women—a very pretty newcomer named Jeanne Moreau and the better-known Suzy Flon, a piquantly intelligent actress for more serious plays—in addition to a jovial character actor as the town mayor are enough to make the racy plot meat for the Parisians.

I left Paris with the conviction, by no means new with me—that there is nothing wrong with the American theater except its economic disorganization, which is disastrous. Considering how new a thing the American theater is—actually less than a hundred years old—it has shown immense vitality, and its potential is second to none in the world today. The famous Barrault company, for example, is far less gifted than was the Theater Guild acting company in the twenties or the Group Theater acting company in the thirties. Our best playwrights have no reason to blush in any comparison with contemporary French dramatists.

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Music

B. H. Haggin

STRAVINSKY'S "Oedipus Rex" when I last heard it twenty years ago seemed to me as ugly and arid as his other neo-classical works did at that time. Listening to the recorded performance on Columbia ML-4644 now, I hear mastery and precision in the use of means for ends that are tremendously powerful and moving—not only in the choruses but in the arias, whose styles are manipulated to achieve not the melodic beauty they achieved originally but a harshly austere and monumental utterance suited to this drama of man pursued and destroyed by implacable destiny.

In the powerful performance conducted by Stravinsky the Oedipus is Peter Pears, whose tenor voice has lost its ease in its upper range and its steadiness throughout; the Jocasta is Martha Mödl, whose mezzo-soprano is occasionally tremulous; and the Creon and Messenger are Heinz Rehfuss, whose baritone is a little rough; but the bass of Otto von Rohr (Tiresias) and tenor of Helmut Krebs (Shepherd) are very fine; and so are the chorus and orchestra of the Cologne Radio.

This is a work for which one needs the words; and what Columbia provides instead is authoritative but tortuous comment by Robert Craft on the history and nature of the work and details of the music.

London LL-731 offers four German sacred songs (1629-1700), of which the first and third are especially beautiful; three such songs by C. P. E. Bach (1714-1788), of which the first and last are extraordinarily powerful in harmonic progression and expressive effect; seven Italian monodies (1609-1634), most of them good; and five charming songs by Alessandro Scarlatti (1659-1725)—all sung superbly by Souzay, with excessively dainty piano accompaniments by Jacqueline Bonneau. Again historical information instead of texts, and not even the titles of the Italian songs.

On London LS-730 Souzay sings Mozart's uninteresting aria "Mentre ti lascia, o figlia," and some fine arias by Scarlatti, Lully, Gluck, and Rameau. The Paris Conservatory Concerts Orchestra plays well under Cornman. Again historical information instead of texts.

With pleasant Elizabethan love songs and instrumental pieces Lyrichord LL-37 offers two especially fine songs by Dowland, "Weep You No More, Sad Fountaines" and "Sorrow, Sorrow, Stay," and an extraordinary piece by Gibbons, "The Lord of Salisbury His Pavin." Superb singing of his kind by Cuenod, and good harpsichord performances by Chiasson.

EMS 219 offers some fine Spanish vocal music from the court of Ferdinand and Isabella, beautifully sung by Pro Musica Antiqua under Cape. There are also instrumental pieces which are made unattractive for me by the sounds of some of the old instruments that are used.

The charming madrigals in Banchieri's "Festino" (1608) on Esoteric ES-516 are sung very well by the Primavera Singers under Noah Greenberg, with interludes of pleasant instrumental pieces by Banchieri and other composers that are played well on the virginals by Blanche Winogron.

Esoteric ES-517 offers a fine Sonata by Rosenmüller (1619-1684), Couperin's pleasant "Le Parnasse," and Frescobaldi's Five Canzoni per Sonar, which I don't care for—all played well by the Harpsichord Quartet.

The moving "Erbarme dich" from Bach's St. Matthew Passion, the lovely *Zeffiretti Lusinghieri* from Mozart's "Idomeneo," and his uninteresting "Ch'io mi scordi di te" K.505 are sung beautifully by Tourel with superb orchestral accompaniments by the Perpignan Festival Orchestra under Casals. Beethoven's early Variations on a Theme from Handel's "Judas Maccabaeus," on the same record (Columbia ML-4640), are quite mechanical at first, but more interesting later on; the performance offers the usual magnificence of Casals's playing, and playing by Serkin that is unusual in its energy and life.

Columbia's cheaper Entré series offers Beethoven's Ninth Symphony performed by von Karajan with the Vienna Philharmonic, the chorus of the Vienna

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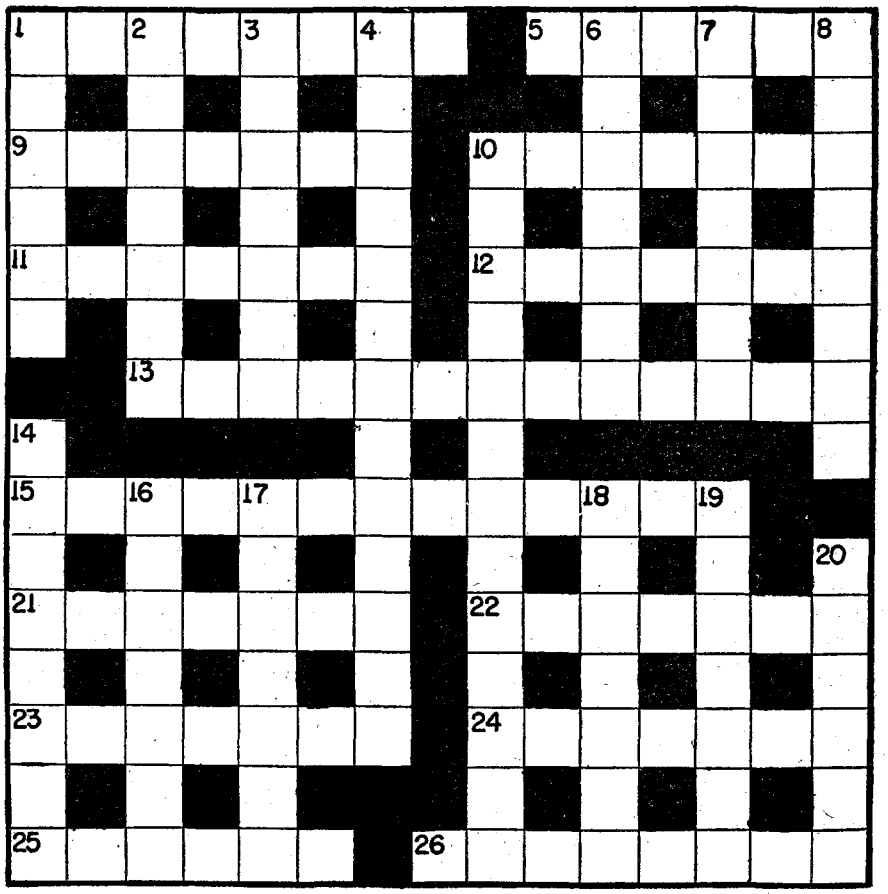
Crossword Puzzle No. 519

BY FRANK W. LEWIS



ACROSS

1 Invent plot, perhaps. (8)
5 Deliberately annoyed it with a form of run around? (6)
9 Racine's method of dispatch? (7)
10 Ornamented belt, worn diagonally from shoulder to hip. (7)
11 Ventilates the joint. (Flies about, no doubt!) (7)
12 With a first of the last, this emperor wouldn't be the first of 10 across. (7)
13 Bill seems to be killed by it, but not as an inside job. (6, 4, 3)
15 Polish problem solved by application on their part. (9, 4)
21 Get madder than anybody? It's against all rules! (7)
22 Ravel? He composed "Seaport on the Seine." (2, 5)
23 Strike with a radical following (implying strong underground connections). (7)
24 The one of these called Death is 10 down. (7)
25 The dealer has this hand left to him. (6)
26 Macbeth suggested that the stuff'd bosom be. (8)

DOWN

1 This gets around the same kind of thing as 14. (6)
2 Ours is usually recommended by the maker. (7)
3 Hurried to one's beloved out west, perhaps. (7)
4 Not the head of a gambling or dope ring, though he might succeed in the top position. (4-9)
6 Like the "y" of "yield," I would make it like a great mansion. (7)
7 Ripped bustle, creating quite a storm. (7)
8 Truth will the verse, according to Byron. (8)
10 Under the main top? (5, 3, 5)
14 No winner of course in Berkshire? (It looks more like a dog!) (5, 3)
16 The argonaut, for example, should suggest the standing members of a male quartet. (7)
17 Little Mermen, about which Haydn wrote? (7)
18 She said pansies were for thoughts. (7)
19 When the stove is shaken, red bodies result. (7)
20 Experienced, with the right foot in line? (6)

~•~

SOLUTION TO PUZZLE No. 518

ACROSS:—1, 13 and 23 down WILL WONDERS NEVER CEASE; 9 ATTESTED; 11 FRIGATE; 12 CENSERS; 14 BY-PASS; 15 ENSEMBLE; 17 ONE-HORSE; 20 FETISH; 22 CONCAVE; 24 CLUBMAN; 26 RETAIN; 27 RECALLED; 28 REMEMBRANCE.

DOWN:—2 IDEOGRAPH; 3 LITOTES; 4 ODDS; 5 DOCKERS; 6 RITES; 7 and 8 STORMY PETREL; 16 METABOLIC; 18 NOOSES; 19 and 10 REVENUE CUTTER; 20 FELUCCA; 25 and 21 GRUBSTAKES.

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Society of Friends of Music, and Elisabeth Schwarzkopf, Elisabeth Höngen, Julius Patzak, and Hans Hotter. Much of the work is paced ineffectively; and the sound of orchestra and chorus dubbed from the 78 rpm records ranges from acceptable to poor.

London offers Brahms's engaging Variations on a Theme of Haydn, paced effectively by van Beinum and played by the superb Amsterdam Concertgebouw Orchestra with its usual refinement of tone and execution. The violin sound is clear but could be more lustrous. The record also has the Academic Festival and Tragic Overtures.

Beethoven's Septet Opus 20 is a piece I used to find uninteresting, until I heard it with the life imparted to it by the animation and phrasing of Toscanini's performances. He plays it with an increased number of strings to provide the proper balance with clarinet, bassoon, and horn that he thinks the original lacks; and his most recent performance—with dazzling playing by the NBC Symphony strings and a few breathtaking phrases by the solo horn—is superbly reproduced by the RCA Victor record. On the reverse side is Cherubini's Symphony in D, which even Toscanini's performance doesn't make interesting.

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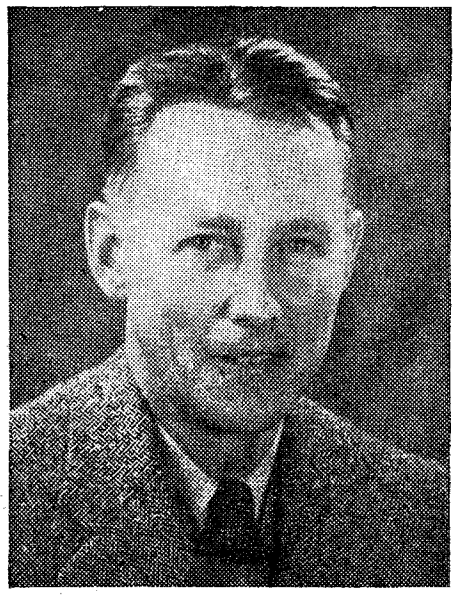

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